

1 MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
2 ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
3 ERIC A. TATE (CA SBN 178719)
ETate@mofo.com
4 RUDY Y. KIM (CA SBN 199426)
RKim@mofo.com
5 MORRISON & FOERSTER LLP
425 Market Street
6 San Francisco, California 94105-2482
Telephone: 415.268.7000
7 Facsimile: 415.268.7522

8 Attorneys for Defendants
UBER TECHNOLOGIES, INC.,
9 OTTOMOTTO LLC, and OTTO TRUCKING LLC

10 KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsfllp.com
11 HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsfllp.com
12 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
13 Washington DC 20005
Telephone: 202.237.2727
14 Facsimile: 202.237.6131

15 Attorneys for Defendants
UBER TECHNOLOGIES, INC.
16 and OTTOMOTTO LLC

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 SAN FRANCISCO DIVISION

20 WAYMO LLC,
21 Plaintiff,
22 v.
23 UBER TECHNOLOGIES, INC.,
24 OTTOMOTTO LLC; OTTO TRUCKING LLC,
25 Defendants.

Case No. 3:17-cv-00939-WHA

**SUPPLEMENTAL DECLARATION OF
ASHEEM LINAVAL IN SUPPORT OF
DEFENDANTS' SURREPLY TO
PLAINTIFF WAYMO LLC'S MOTION
FOR PRELIMINARY INJUNCTION**

Date: May 3, 2017
Time: 7:30 a.m.
Ctrm: 8, 19th Floor
Judge: The Honorable William Alsup

Trial Date: October 2, 2017

1 I, Asheem Linaval, declare as follows:

2 1. I am a hardware engineer at Uber Technologies, Inc. (“Uber”). My background is
3 set forth in my April 6, 2017 declaration in support of Uber’s opposition to plaintiff’s motion for
4 preliminary injunction. I make this declaration in support of Uber’s surreply to plaintiff’s motion
5 for preliminary injunction. I make this declaration based on personal knowledge and, if called as
6 a witness, I would testify to the facts listed below.

7 2. I understand that nine unique hash matched files and 3,250 file name matched files
8 were located on Uber’s systems since my last declaration. I have reviewed the nine hash matched
9 files and the list of 3,250 file name matches. None of these files are from Waymo. Below I
10 explain these files and why the hash or file name matches do not establish that these files came
11 from Waymo.

12 3. Five of the nine hash matched files are ODB++ metadata. I can procure nearly
13 identical files from most any ODB++ board package. These files are 11200733.TXT;
14 11200747.TXT; 130143.TXT; 130145.TXT and attrlist. I further explained attrlist files in my
15 April 6, 2017 declaration.

16 4. Three of the hash matched files are structure listings for very simple projects.
17 These files reference other design documents and do not contain any substantive information.
18 The first file, jdsu_rx.PrjPcbStructure, has a top level generically named “top.SchDoc” and a
19 subschematic generically named “pmic.SchDoc.” The second file,
20 PCB_Project_0BwLeHzZBkM1wdGF5NFhBSXUwTTQ.PrjPcbStructure, is a single-schematic
21 project with the generic schematic name “Sheet1.SchDoc.” The third file, receiver-1-3-
22 0.PrjPCBStructure, is also a single-schematic project with a generic schematic name
23 “receiver.SchDoc.” Because of the simplicity of these projects and the generic nature of the
24 schematic names, I am unsurprised by the hash matches.

25 5. I am not familiar with the last hash matched file, which is named “tools,” but the
26 file path indicates that it came from a user guide for an Atmel microcontroller.

27 6. Many of the filenames in the file name match list were explained in my April 6,
28 2017 declaration. For example, 304 of the matches are named “netlist,” which is explained in my

1 earlier declaration. Over 800 of the matches are .SCHDOC, .PCBDOC, or .PCBLIB files using a
2 standard file naming convention with a functional description of the file, which are explained in
3 my earlier declaration. I explain some additional file name matches in the list I reviewed below.

4 7. Most of the additional file name matches (1279 of them) are files named “Status
5 Report.txt.” When PCB outputs are generated using Altium, a Status Report file is usually
6 generated. They only indicate that output files were generated, and contain no design
7 information. It is unsurprising that there are file name matches.

8 8. Another category of matches is SolidWorks files. Ninety-four of the file name
9 matches are files named “board.SLDPRT,” “base.SLDPRT,” “rotor.SLDPRT,” and
10 “pcb.SLDPRT.” Some of these are sample files that come with the SolidWorks software. Others
11 are generically named SolidWorks files for which file name matches are unsurprising; indeed the
12 names match those for the sample files..

13 9. Another category of matches is other sample or example files. Thirty-eight of the
14 file name matches are .ASC files (e.g., 3683.ASC, 8620.ASC). These files are LTSpice examples
15 that come with the software. Thirteen of the file name matches are files named “sort.py.” This
16 file ships with Anaconda (a distribution of Python used for data science) and Sublime Text, a
17 popular text editor.

18 10. Forty-five of the file name matches are files named “Notes.txt” and “PCB.txt.”
19 These are generic file names, and it is unsurprising that there are matches.


20 11. Sixty-three of the file name matches are files named “PCB1.GBL” or
21 “PCB1.GTL.” These are default names for gerber files, and the matches are unsurprising.

22 12. Seventy-four of the file name matches are files named “Job1.outjob” or
23 “Job2.outjob.” These are generic file names akin to “Document1,” and a file name match is
24 unsurprising. These files reference other files and do not contain any substantive data.

25 13. Thirteen of the file name matches are files named “Assembly Drawings.PDF.”
26 These are generically named files, and a file name match is unsurprising.

27 14. Fifteen of the file name matches are files named “J1.SLDASM.” J1 is a common
28 designator for a connector, and I am unsurprised that there are file name matches.

1 I declare under the penalty of perjury under the laws of the United States of America that
2 the foregoing is true and correct. Executed this 27th day of April, 2017, in San Francisco,
3 California.

4 
5 Asheem Linaval
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28